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Jul 17 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of General Sessions
The Honorable George M. McFaddin, Circuit Court Judge

Appellate Case No. 2019-001007

THE STATE,RESPONDENT,

v.

DONALD RAY RICHBURG,APPELLANT.

**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on July 17, 2020, pursuant to a previous extension granted by the Court.

II.

Due to work required in other cases pending before this Court, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

Notably, the State's progress on this brief was slowed by the need to file a petition for rehearing in the case of State v. Herndon at the Supreme Court of South Carolina, which was due yesterday. With this extension, the State believes this initial brief will be completed without any further extensions required.

IV.

Through a general agreement between the State and the South Carolina Commission on Indigent Defense, Division of Appellant Defense, opposing counsel does not object to granting an extension in this case.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,


ALAN WILSON
Attorney General

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

By:  FOR

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

I have reviewed and approved this extension request.

By: 

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

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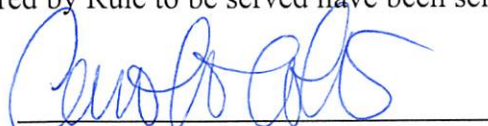
DONALD RAY RICHBURG,APPELLANT.

PROOF OF SERVICE

I, Caroline Collins, certify that I have served the within Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant a copy, via email listed with AIS and the South Carolina Bar. Additionally, a physical copy of the same was mailed to:

Adam S. Ruffin, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

I further certify that all parties required by Rule to be served have been served this 17th day of July, 2020.



Caroline Collins
Administrative Coordinator
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

Caroline Collins

From: Caroline Collins
Sent: Friday, July 17, 2020 10:33 AM
To: 'aruffin@sccid.sc.gov'
Cc: 'Leverett, Scott'; Bill Schumacher; William Blich
Subject: The State v. Donald Ray Richburg (2019-001007)
Attachments: RICHBURG Donald - Motion for Third Extension - 2019-001007 (02328853xD2C78).PDF

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Follow Up Flag: Worldox

Good Morning Mr. Ruffin,

Attached please find a copy of the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter in The State v. Donald Ray Richburg (2019-001007). This document will be submitted to the Court of Appeals through the AIS One Drive system. As written in the proof of service, in addition to this email a hard copy of this document will be deposited in the mail.

If you will, please reply to confirm receipt of this email.

Thank you!

Caroline Collins

Administrative Coordinator
South Carolina Attorney General's Office
P: (803) 734-3723